



14.	Petition of Blueview Corporate Center LLC (Blue Hill 1535-1549)
15.	Purchase and Sale Agreement Blueview/DST dated 4/9/03 (Dep. Ex. 19/ND0025-0059)
16.	Letter from National Development to Gary Lilienthal re. Special Permit, dated 5/5/03 (Dep. Ex. 327/Blue Hill 1704-1705)
17.	Letter from Equiserve to Blue Hills dated 5/14/03 (Dep. Ex. 17/Blue Hill 1255)
18.	Letter from Blue Hills to Equiserve dated 5/15/03 (Dep. Ex. 18/Blue Hill 1711)
19.	Meeting Minutes of the Canton Zoning Board of appeals 5/22/03 (Dep. Ex. 304 & 328/Blue Hill 1593-1602)
20.	ZBA Decision (attached to Lender's Second RFA as Exhibit "L")
21.	Zoning Appeal dated 6/9/03 (Blue Hill 1733-1778)
22.	Letter from Bernkopf to LandAmerica dated August 6, 2003, enclosing documents with regard to the Settlement (Blue Hill 1908-1945)
23.	Release (Blue Hill Office Park LLC (Blue Hill 1880-1881)
24.	Settlement Agreement dated 8/5/03 (Dep. Ex. 21/Blue Hill 1844-1867)
25.	Lease Termination Agreement (Dep. Ex. 10/Blue Hill 1603-1610)
26.	Royall Associates Agreement 12/31/04 (Dep. Ex. 176/Blue Hill 5513-5525)
27.	Tax Return 2004 for Royall Associates Realty Trust (Deposition Ex. 363)
28.	Payment Records Produced by Blue Hills (Dep. Ex. 177/Blue Hill 5507-5512)
29.	Blue Hills Asset Statement by Rutfield and Hassey 12/31/02 (Dep. Ex. 364/Blue Hill 5526)
30.	Blue Hills Asset Statement by Rutfield and Hassey 12/31/03 (Dep. Ex. 365/Blue Hill 5527)
31.	December 31, 2004 statement of assets (Deposition Ex. 366)
32.	Blue Hills Office Park, LLC, Annual Report December 31, 2002 (Dep. Ex. 409)
33.	Blue Hills Office Park, LLC, Annual Report December 31, 2003 (Dep. Ex. 410)
34.	Blue Hills Office Park, LLC, Annual Report December 31, 2004 (Blue Hill 6755-6760)
35.	Royall Associates "Due to/from Acct" (Dep. Ex. 367/Blue Hill 5529)
36.	Fax from Rutfield & Hassey to Goldberg re. "Due from Affiliate" and Basis Adjustment (Dep. Ex. 368/Blue Hill 5530)
37.	Memo from Rutfield & Hassey re. BHOP Basis, Depreciation, Langelier Adjustment (Dep. Ex. 369/Blue Hill 5531)
38.	Wire Transfer Borrower Remainder 5/12/04 (Net Rents) (Dep. Ex. 31/WF1998-2003)
39.	Wire Transfer Borrower Remainder 6/14/04 (Net Rents) (Dep. Ex. 32/WF2004-2008)
40.	Wire Transfer Borrower Remainder 7/13/04 (Net Rents) (Dep. Ex. WF2709-2715)
41.	Blue Hills March 2000 Assets and Liabilities Statement (WF01188-1189)
42.	Blue Hills June 2000 Assets and Liabilities Statement (WF01261-1262)
43.	Blue Hills 2001 Assets and Liabilities Statement (WF1443-1444)
44.	Blue Hills 2002 Assets and Liabilities Statement (WF3172-3173)
45.	Blue Hills 2001 Income and Expense Statement (Dep. Ex. 318/Blue Hill 5062)
46.	Blue Hills June 2003 Income and Expense Statement (WF3176-3177)
47.	Blue Hills September 2003 Income and Expense Statement (WF3182-3183)
48.	Blue Hills December 2003 Income and Expense Statement (Dep. Ex. 35/WF1414)
49.	Blue Hills March 2004 Income and Expense Statement (Dep. Ex. 36/WF1264)
50.	Blue Hills June 2004 Income and Expense Statement (WF3195)
51.	Marketing Update from C & W 7/21/04 (Dep. Ex. 42/Blue Hill 0833-0906)

52.	E-mail from Joseph Plunkett with draft letter re. marketing meeting dated 8/3/04 (Dep. Ex. 325/Blue Hill 0774-0777)
53.	Fax from Paul Halloran to Elham dated 10/22/99 (Dep. Ex. 1)
54.	Letter from Needle to Equiserve re. Property Taxes Due, dated 9/10/03 (Part of Dep. Ex. 12/Blue Hill 0463)
55.	Tax Shortage Letter from Wells Fargo to Blue Hills dated 10/9/03 (Part of Dep. Ex. 12/Blue Hill 0464)
56.	Deposit Record for Equiserve Portion of Taxes 10/15/03 (Part Dep. Ex. 12/Blue Hill 0500-0501)
57.	Deposit Record for Blue Hills Portion of Taxes 10/16/03 (Part of Dep. Ex. 12/Blue Hill 0502)
58.	Letter Authorizing Wire Transfer from Lockbox to Wells Fargo dated 10/16/03 (Part of Dep. Ex. 12/Blue Hill 0503)
59.	Tax Record for Single Loan (Dep. Ex. 138)
60.	Fax from Langelier to Rubino dated 9/14/99 concerning distribution of funds (Dep. Ex. 166/CSFBMSC 03371-03373)
61.	Fax from Langelier to Rubino dated 11/30/99 concerning prepayments and cash flow (Dep. Ex. 34/CSFBMSC02834-02836)
62.	E-mail exchange Mallegni/Taylor 7/15/04 (Dep. Ex. 22/LNR02765-02766)
63.	Email from Mallegni to Vickie Taylor 7/15/04 (Dep. Ex. 136/LNR02873)
64.	Letter from Needle to Equiserve re. taxes due dated 7/15/04 (Dep. 315 (Blue Hill 5185))
65.	Tax Shortage Letter from Wells Fargo to Blue Hills dated 7/16/04 (Dep. Ex. 4/Blue Hill 0469)
66.	Notes Maintenance 7/29/04 - Ref. # "No Tax Dsbrsment" (WF01745/Dep. Ex. 5)
67.	Notes Maintenance 7/29/04 - Ref. # "Non Compliance" (WF01746/Dep. Ex. 6)
68.	Wells Fargo e-mail exchange re. advancing funds to pay taxes (Dep. Ex. 8; also Dep. Ex. 161/WF02103)
69.	Wells Fargo e-mail exchange re. November 2004 real estate tax payment (WF003118-WF03120)
70.	Donovan Letter Request 8/2/04 (Dep. Ex. 23/Blue Hill 1249; also Dep. Ex. 53/WF4679)
71.	Donovan Letter Request 8/5/04 (Dep. Ex. 24/Blue Hill 1249; also Dep. Ex. 55/WF513)
72.	Transcribed Warshaw Voicemail Message 8/04 (Dep. Ex. 25/Blue Hill 1230-1231)
73.	Mallegni/Taylor E-mail exchange 8/12/04 (Dep. Ex. 145/LNR2875-2876)
74.	Boord/Reed E-Mail (incorporating Ex. 145) 8/12/04 (Dep. Ex. 143/LNR4088-4089)
75.	Donovan Fax to Mallegni 8/13/04 (Dep. Ex. 27/Blue Hill 1245-1248)
76.	Mallegni/Taylor E-Mail exchange 8/16/04 (Dep. Ex. 154, LNR2769-2771)
77.	Transfer Memorandum 8/17/04 (Dep. Ex. 57/WF01284-01285)
78.	Email dated August 17, 2004 From Rania Shuheiber to AnnMarie Hancock re: hold code "S" placed on loan (Deposition Ex. 153)
79.	Warshaw Letter re. Transfer to LNR 8/19/04 (Dep. Ex. 28/Blue Hill 1233; also Dep. Ex. 59/Blue Hill 481)
80.	Unexecuted Prenegotiation Letter 8/19/04 (Dep. Ex. 29/Dep. Ex. 60/Blue Hill 0482-0485)
81.	Fax dated August 24, 2004 from Job Warshaw to BH re. August 19, 2004 letter to re: servicing responsibilities have been transferred to Lennar Partners (Deposition Ex. 61)



82.	Executed Prenegotiation Letter (Blue Hill 4684-4687)
83.	Deposition Exhibit 62 Prenegotiation Letter
84.	Email dated August 20, 2004 From Shuheiber to Campbell (Deposition Ex. 67)
85.	Letter dated August 23, 2004 from Campbell to Shuheiber (Deposition Ex. 82)
86.	Letter dated August 23, 2004 from Campbell to Shuheiber (Deposition Ex. 83)
87.	Donovan Letter Request 9/2/04 (Dep. Ex. 26/54/Blue Hill 1228)
88.	Letter re. Default 9/17/04 (Dep. Ex. 30/Blue Hill 1225-1226); also Deposition Exhibit 52
89.	E-Mail from Langelier to Frank and Donovan re. options for preventing or deferring foreclosure, dated 11/3/04 (Dep. Ex. 175/Blue Hill 5310)
90.	E-Mail messages between D. Erwin & Associates, LLC and Blue Hills dated August and October 2004 (Part of Dep. Ex. 305/Blue Hill 4759-4764)
91.	Fax from D. Erwin to Dan Frank and Larry Needle 8/19/04 (Part of Dep. Ex. 305/Blue Hill 5100)
92.	Fax from Dan Frank to D. Erwin 8/20/04 with Purchase Agreement (Part of Dep. Ex. 305/Blue Hill 5097-5099)
93.	Checking Deposit Record - \$50,000 from D. Erwin & Assoc. 8/23/04 (Part of Dep. Ex. 305/Blue Hill 5072-5073)
94.	Checking Deposit Record - \$25,000 from D. Erwin & Assoc. 9/16/04 (Part of Dep. Ex. 305/Blue Hill 5074)
95.	Checking Deposit Record - \$25,000 from D. Erwin & assoc. 9/22/04 (Part of Dep. Ex. 305/Blue Hill 5066)
96.	Notice of Intention to Foreclosure 10/21/04 (Dep. Ex. 174/Blue Hill 1221-1224)
97.	Stotz Appraisal Report 10/28/04 (LNR00984-1106)
98.	Email dated November 2, 2004 From Myung Nam to Guadalupe Martinez, Ana Larracas, Henry Kwong, Rania Shuheiber, Investor Reporting and Dan Alexander re: providing information for special servicing loan (Deposition Ex. 146)
99.	Email dated November 2, 2004 From Desiree Campbell to Alfredo Ortega with attachments re: payoff request (Deposition Ex. 149)
100.	Advisor Consent for Foreclosure 11/3/04 (Dep. Ex. 104/Trust009-0021)
101.	Newspaper Advertisements re. Foreclosure Sale of Real Estate (SD001-002)
102.	Letter dated November 10, 2004 from Ken Goldberg to Bruce Barnett November 10, 2004 (Deposition Ex. 334)
103.	Letter dated November 12, 2004 from E. Randolph Tucker (Deposition Ex. 41)
104.	Letter dated November 17, 2004 from Ken Goldberg to E. Randolph Tucker (Deposition Ex. 335)
105.	Letter dated November 18, 2004 from E. Randolph Tucker to Ken Goldberg (Deposition Ex. 336)
106.	Letter dated November 19, 2004 from Ken Goldberg to E. Randolph Tucker (Deposition Ex. 337)
107.	E-Mail from Polcari to Golinsky 11/19/04 (Dep. Ex. 109/LNR02918)
108.	Certificate of Entry (Blue Hill 1689)
109.	Foreclosure Deed (Blue Hill 1690-1691)
110.	Affidavit of Sale (Blue Hill 1692-1694)
111.	Blue Hills Operating Agreement 9/14/99 (Dep. Ex. 407/Blue Hill 1969-1991)

112.	First Amendment to Certificate of Formation of Blue Hills (Blue Hill 1964-1968)
113.	Wells Fargo Notepad Entries (Dep. Ex. 139/WF01689-1778)
114.	Spreadsheet entitled "Notepads for Loan #76-0990083 Blue Hills (Deposition Ex. 140)
115.	Email dated January 7, 2005 To Rosen from Hayes re: Client Update (Deposition Ex. 126)
116.	Lawyers' Weekly Calendar September 2004
117.	CSFB's Response to Blue Hills, Langelier & Fineberg's First Set of Requests for Admission
118.	J.P. Morgan's Response to Blue Hills, Langelier & Fineberg's First Set of Requests for Admission
119.	Letter from Stone to Banknorth dated July 24, 2002, BH 5237-5239.
120.	Tax Shortage Letter dated July 22, 2002, BH 5222.
121.	Letter from Stone to Dulak containing October 9, 2003 tax shortage letter BH 5164-5166.
122.	Letter from Stone to Wells Fargo dated April 28, 2004 containing April 28, 2004 tax shortage letter BH 5026-5028.
123.	E-mail dated June 9, 2004 from Wells Fargo to Donovan re. insurance escrow analysis BH 2103-2104.
124.	Escrow Analysis and Notice of Payment Change dated June 17, 2004, BH 5134.
125.	Wells Fargo Notes Maintenance dated June 11, 2003, WF 01728.
126.	Fax from Stone to Engelstad dated April 22, 2002 enclosing real estate tax bill BH 5259-5260.
127.	Wells Fargo Notes Maintenance dated April 22, 2002 WF 01702.
128.	Letter from Stone to Wells Fargo dated June 17, 2002 regarding sale of Metrowest Bank BH 5243.
129.	Wells Fargo Notes Maintenance dated June 19, 2002 WF 01709.
130.	Wells Fargo Notes Maintenance dated July 11, 2001, WF 01689.
131.	Wells Fargo Notes Maintenance dated January 24, 2002, WF 01696.
132.	Wells Fargo Notes Maintenance dated May 8, 2002, WF 01704.
133.	Wells Fargo Notes Maintenance dated May 30, 2002, WF 01707.
134.	Wells Fargo Notes Maintenance dated June 11, 2004, WF 01740-01741.
135.	Letter from Wells Fargo to Blue Hills dated July 18, 2000 requesting financial statement, WF 01239.
136.	Letter dated July 19, 2001 to Blue Hills from Wells Fargo re: Property tax Shortage (Deposition Ex. 3)
137.	Letter from Price Waterhouse Coopers to Blue Hills dated April 25, 2002 requesting financial statements, WF 01209.
138.	Letter dated July 31, 2003 from Price Waterhouse Coopers to BH requesting financial statements WF 3156.
139.	Letter dated February 13, 2003 from Wells Fargo to Blue Hills requesting financial statements, WF 3153.
140.	E-mail dated March 31, 2004 from Nhan Vi of Wells Fargo to Diaz of LNR attaching year end 2003 financial statements, WF 01807.
141.	Letter dated April 23, 2004 from Wells Fargo to Blue Hills requesting financial statements, WF 3164.



142.	Letter dated August 4, 2004 from Wells Fargo to Blue Hills requesting financial statements, WF 3168.
143.	LNR Binder (Deposition Ex. 98)
144.	Photographs and Google Picture of 150 Royall Street, Canton, Massachusetts (Plaintiff's Exhibit EJ)
145.	Legible Payment Accounting Record
146.	Letter re: Move tax money (Deposition Exhibit 7, Plaintiff's Exhibit CU)
147.	Wells Fargo Statement for August 11th (Plaintiff's Exhibit CD)
148.	July Statements (Plaintiff's Exhibits EU-EX)
149.	Site Plan (Plaintiff's Exhibit EY)
150.	MGMT Agreement (Plaintiff's Exhibit EO)
151.	Rent Roll 3/31 WF3192 (DE and DG)
152.	Rent Roll dated 6/30/04 WF3198 (DF)
153.	Fax dated August 12, 2004 WF3195 (DH)
154.	March 2000 Operating Expenses Blue Hills WF01187 (DI)
155.	Rent Roll dated April 13, 2000 WF01232 (DJ)
156.	Rent Roll dated June 29, 2000 WF01253 (DK and DO)
157.	Blue Hills Operating Expenses June, 2000 WF01260 (DL)
158.	Blue Hills Operating Expenses September, 2001 WF01451
159.	Rent Roll dated December 31, 2001 WF01191 (DQ)
160.	Rent Roll dated September 28, 2001 WF01192 (DR)
161.	Blue Hills Operating Expenses dated December 2001 WF01442 (DS)
162.	Blue Hills Operating Expenses dated March 2002 WF01208 (DV)
163.	Letter from G. Stone to Wells dated April 18, 2000 – 4th Quarter Financial (Rent Roll and Settlement) WF01244 (DW)
164.	Fax Transmittal dated May 8, 2002 from G. Stone to Patricia Vazquez WF01207 (DX)
165.	Fax from G. Stone to P. Vazquez dated August 11, 2003 WF3157 (DX)
166.	Fax Transmittal from G. Stone to P. Vazquez dated November 14, 2003 WF3160 (DZ)
167.	Fax to P. Vazquez from G. Stone dated May 10, 2004 WF3163 (EA)
168.	Fax to P. Vazquez from G. Stone dated August 12, 2004 WF3167 (EB)
169.	Rent Roll March 31, 2004 Royall Associates WF01204 (ED)
170.	Blue Hills OP-450 End of year 2002 –Income and Expenses 2/19/03 WF3171 (EE)
171.	Royall Associates Rent Roll 6/30/ WF3179 (EF)
172.	Rent Roll 12/31/03 WF01450 (EG)
173.	Rent Roll 12/31/03 WF01201 (EH)
174.	Rent Roll /30/04 WF3198 (EI)
175.	Letter from Lydia Chesnick re: Fineberg & Securitized Loans (Dep. Ex. 322/Blue Hills 3033-3035) (A)
176.	Letter from Schulte Roth & Zabel to Langelier enclosing copy of Guaranty and signature pages for Guaranty, dated 9/7/99 (Dep. Ex. 165/ Blue Hill 5415-5434) (C)
177.	Stone Letter fro Englestadt (4/23/02) BH5256 (H)
178.	Canton R/E Bill for 150 Royall Street (WF1043) 6/02 (I)
179.	Sturbridge Deed-in-Lieu Agreement (P)
180.	Sturbridge Deed (Q)
181.	Lancaster Deed-in-Lieu (R)

182.	September 10, 1999 Letter from Andrew Cohn to Ken and Lydia (FN)
183.	Tax Payer ID (FR)
184.	Tax Payer ID Form (FS)
185.	Bernkopf Goodman Non-Consolidation Opinion (Dep. Ex. 340 at Blue Hill 2024-2043) (F)
186.	Pooling and Servicing Agreement (Deposition Ex. 51) (AK)
187.	Tax Form 1099A for 2004 (Deposition Ex. 413) (AJ)
188.	Email dated April 28, 2004 from Wodicka to Wolpert/Golinsky (Deposition Ex. 63) (AL)
189.	Email dated August 11, 2004 from Pesin to Reed LNR04086(Deposition Ex. 64) (AM)
190.	Email dated September 11, 2003 from Berger to Polcari (Deposition Ex. 68) (AO)
191.	Email dated September 15, 2003 From Cooper to Perillo (Deposition Ex. 69) (AP)
192.	Email dated September 16, 2003 from Polcari to Golinsky (Deposition Ex. 70) (AQ)
193.	Email dated September 17, 2003 from Taylor to Golinsky (Deposition Ex. 71) (AR)
194.	Email dated September 8, 2004 From Golinsky to Polcari (Deposition Ex. 74) (AT)
195.	Email dated September 8, 2004 From Benedit to Polcari (Deposition Ex. 75) (AU)
196.	Email dated April 22, 2004 From Wodicka to Wolpert re: we need to talk about loans like Blue Hills (Deposition Ex. 79) (AY)
197.	Email dated April 27, 2004 From Wodicka to Golinsky re: 96% tenant will vacate Deposition Ex. 81 (BA)
198.	Email dated August 19, 2004 from Wodicka to Pesin re: E-mail exchange between Emily and myself on this loan (Deposition Ex. 85) (BB)
199.	Email dated April 27, 2004 from Golinsky to Wolpert re: it is FUGLY. The "F" could stand for Feinberg (Deposition Ex. 86) (BC)
200.	Email dated April 28, 2004 from Wodicka to Golinsky re: if reserve can be used for anything other than leasing commissions or tenant improvements (Deposition Ex. 87) (BD)
201.	Lennar Partners, Inc. Advisor Consent For Asset Sale at Discount (Deposition Ex. 101) (BQ)
202.	Email dated November 8, 2004 To Polcari from Rosen re: You have to make this happen (Deposition Ex. 105) (BT)
203.	Email dated November 8, 2004 To Rosen from Polcari re: What the @#%!. I'M NOT A MACHINE (Deposition Ex. 106) (BU)
204.	Email dated November 9, 2004 To Polcari from Golinsky (Deposition Ex. 108) (BW)
205.	Email dated September 20, 2004 To Polcari from Rosen (Deposition Ex. 111) (BX)
206.	Email dated September 9, 2004 To Schragar/Hall from Wolpert re: New loans for Transfer Date: August 18, 2004 (Deposition Ex. 112) (BY)
207.	Email dated September 17, 2003 From Larry Golinsky to Vickie Taylor and Emily Cooper re: transfer event (Deposition Ex. 141) (CO)
208.	Email dated November 12, 2003 From Vickie Taylor to Jayson Seidman re. Imminent default transfer trigger (Deposition Ex. 142) (CP)

209.	30(b)(6) deposition notice for LNR (Deposition Ex. 47) (FE)
210.	Piper Rudnick Letter of Feb 27, 2006 objecting to topics on 30(b)(6) for JP Morgan, CSFB. (FF)
211.	2004 Tax Form 1099-C, Blue Hill 1818 (FI)
212.	Statement of Mortgage Debt Payoff Closing Statement (Trust00002-00004) (V)



## United States District Court

DISTRICT OF

Blue Hills Office Park  
v.

J.P. Morgan Chase Bank

## EXHIBIT AND WITNESS LIST

CASE NUMBER: CA 05-10506

PRESIDING JUDGE		PLAINTIFF'S ATTORNEY		DEFENDANT'S ATTORNEY	
Young		McGlynn		Falby	
TRIAL DATE(S)		COURT REPORTER		COURTROOM DEPUTY	
9/13/06					
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES
		9/13/06			William Langelier
				144	Photos of 150 Royal St.
			AI	215	term sheet to Rubino 9/1/99
					chicks A 87-99
					chick B 99-06
		9/14/06			William Langelier
			ET	145	Finckers Royal Arr. Confidential
					Joseph Donovan
			CU	146	Ltr to Wells Fargo 7/24/01
			DC	147	Monthly Statement Wells Fargo Bank 8/11/04
			EU	148	Statement 7/1/04 reserve # 5
			EV	149	" " " # 3
			EW	150	" " " # 2
			EX	151	" " " # 1
		9/15/06			Joseph Donovan
			EY	149	Plan of Land for 150 Royal St.
			EO	150	response to Ltr. Management agreement
					Andrew Cohn
		9/29/06			Andrew Cohn
			FN	182	Ltr to Ken & Lydie 9/10/99
			FR	183	Metrowest Bank
			FS	184	request for taxpayer ID

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

AO 187A (Rev. 7/87) ®

## EXHIBIT AND WITNESS LIST - CONTINUATION

Blue Hills Office Park vs. J.P. Morgan Chase					CASE NO.
PLF. NO.	DEF. NO.	DATE OFFERED	Marked	Admitted	DESCRIPTION OF EXHIBITS AND WITNESSES
		9/29/06	F	185	memo 9/24/99 Bernkopf Goodman Joseph Polcari
			AK	186	Policies & service agreement Joseph Polcari
		10/3/06	<del>AK</del>		notes by Polcari
			U		statement of mort debt 11/5/04 Richard Clarke
			V	214	Richard Clarke Curriculum vitae
			GB		Clarke report
			GE		Richard Clarke
		10/4/06			Daniel Frank
					Kenneth Goldberg
		10/11/06			GA 213 site plans
			GG	<del>214</del>	1 tr T
			GF	<del>215</del>	site plan w/approval Gerald Finberg
				215	Fax & 1 tr To Mr Rubino
		10/12/06	FO	214	By law - Blue Hills Office Park
			FP	216	Clarke cert. "
			FQ	217	articles of organization " "
					Gilbert Stone
					Randall Rosen
					Dorothy Erwin
					David Andelman
					Joseph Donovan recalled
					Lawrence Neal